

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

FS MEDICAL SUPPLIES, LLC,	)	
	)	
Plaintiff,	)	
	)	3:21-cv-00501-RJC-WCM
v.	)	
	)	
TANNERGAP, INC. and	)	
TANNER PHARMA UK LIMITED,	)	
	)	
Defendants.	)	

*Consolidated for discovery with*

FS MEDICAL SUPPLIES, LLC,	)	
	)	
Plaintiff,	)	
	)	3:23-cv-00598-RJC-WCM
v.	)	
	)	
TANNER PHARMA UK LIMITED;	)	
RAYMOND FAIRBANKS BOURNE;	)	
and MARY EVERETT	)	
WHITEHURST BOURNE;	)	
	)	
Defendants.	)	
_____	)	

**ORDER**

This matter is before the Court on Plaintiff's "Emergency Motion for Expedited Briefing and Hearing on Motion for Protective Order and to Set a Conference" (the "Motion to Expedite," Doc. 203). The Tanner Defendants have responded and Plaintiff has replied. Doc. 205, 206.

Plaintiff requests expedited briefing concerning its “Motion for Protective Order Concerning Depositions – Expedited Relief Requested” (the “Motion Concerning Depositions,” Doc. 201). Plaintiff also requests that the Court conduct a hearing on the Motion Concerning Depositions and a discovery conference.

Having reviewed the Motion to Expedite, the Motion Concerning Depositions, and the other currently pending motions, the Court will allow the Motion to Expedite in part.

**IT IS THEREFORE ORDERED THAT:**

1. To the extent the “Emergency Motion for Expedited Briefing and Hearing on Motion for Protective Order and to Set a Conference” (Doc. 203) seeks a hearing on the “Motion for Protective Order Concerning Depositions – Expedited Relief Requested” (Doc. 201), it is **GRANTED**. Plaintiff’s request that an expedited briefing schedule be established for the Motion Concerning Depositions is **DENIED**.
2. The deposition of Plaintiff’s website developer, Charles Roach, which is scheduled for November 6, 2024, is **TEMPORARILY STAYED** pending a ruling on the motions for which a hearing will be scheduled pursuant to this order. To the extent any other depositions are the subject of the motions to be heard, those depositions are likewise **TEMPORARILY STAYED**.

3. The Clerk is respectfully directed to schedule a status conference as well as a hearing on the following:

- a. Plaintiff's Motion to Compel Production of ESI from Jonathan Bracey's Mobile Phone (Doc. 174);
- b. Defendants Tanner Pharma UK Limited's and TannerGAP, Inc.'s Motion for Leave to Amend Answer (Doc. 179);
- c. Plaintiff's Motion to Compel Discovery on Discovery (Doc. 181);
- d. Defendants Tanner Pharma UK Limited and TannerGAP, Inc.'s Motion for Protective Order to Preclude Discovery-on-Discovery (Doc. 183);
- e. The parties' Joint Stipulated Request for Entry of Addendum to Stipulated Protective Order (Doc. 185); and
- f. The Motion for Protective Order Concerning Depositions – Expedited Relief Requested (Doc. 201).

Signed: October 29, 2024



W. Carleton Metcalf  
United States Magistrate Judge

